

ROOM TO BE ME!



Transgender, non-binary, intersex, and gender nonconforming people have the right to safe housing, even if they're staying in a shelter. Shelters run by the Department of Homeless Services (DHS) must be safe and affirming for trans people — it's the law!

Read this to learn how to find a shelter and what your rights are.

MAKING
POLICY
PUBLIC

How do you enter the shelter system?

To start the process, called **intake**, go to an intake facility to meet with staff. Interpreters are available if you don't speak English.

Go to the facility that most aligns with your gender identity. You can change your mind if you get there and feel you'll be safer elsewhere.

Men's Intake

30th Street Intake Center
400-430 East 30th Street,
New York, NY 10016

Women's Intake

Franklin Shelter
1122 Franklin Avenue,
Bronx, NY 10456

HELP Women's Center *
116 Williams Avenue,
Brooklyn, NY 11207

This intake shelter is **not wheelchair accessible.*

If you're familiar with a DHS LGBTQ shelter, you could go directly there, but it's not guaranteed that you can do intake or get a bed.



I need a room.

What's your name? I'll also need to see some ID.

My name is Jade, but it doesn't match my ID.

That's okay. Shelter staff should only refer to you by your preferred name. Your legal name is needed for our system, but that information is private.

Is that true for my gender too?

Yes! All your information, like your dead name and even your medical history, stays private unless you give us your permission, or we need to refer you to services or report abuse.

Let's leave it blank.

What would you like us to put down for your gender? We can put Female, Male, Transgender FTM or MTF, or X. We could also put something else, or you don't need to answer, if you prefer.

➤ This is how staff should be talking to you. Staff may be disrespectful to you — be ready to advocate for yourself. If they ask questions about your dead name or for proof of your gender, that's harassment. Report it! See **Grievances (pg 10)**.

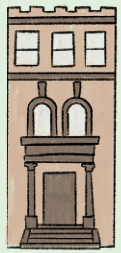
➤ If you identify as Male or Female, you have to also say you're trans to be eligible for a TGNC bed.



PLACEMENT

After your meeting with the intake worker, they'll check and see where space is available.

You have the option to be placed in:



A men's or women's facility

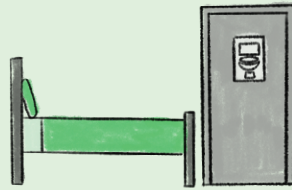
Placement in a men's or women's facility depends on what gender you chose at intake.



An LGBTQ-specific shelter like Marsha's House

Marsha's House can only house residents who are 35 and under.

➤ Staff may not be aware of the exact age requirement — be ready to advocate for yourself!



A carve-out unit

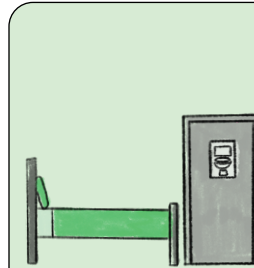
Carve-out units are trans-specific housing within a men's or women's shelter. You can say whether you want to be in a TGNC bed in a men's-only or women's-only shelter, or if you'd like to be considered for both.

These areas should have a bathroom inside the unit or a bathroom shared between trans residents only.

➤ If you're placed in a carve-out unit, and there are people who don't belong there, or the bathroom is public, **file a grievance (see pg 10) or ask for a transfer (see pg 8).**

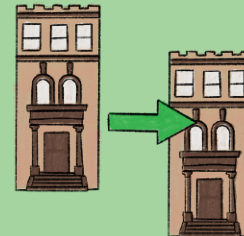
Intake staff shouldn't place you in a TGNC bed or LGBTQ housing without your consent. If you'd like to be placed there, make sure to bring it up at intake. If you make a request about where to be placed, staff should try to honor that, especially if it's related to your safety.

What if you don't feel comfortable with your placement?



Ask for a carve-out unit or to join the waitlist

DHS staff can see if TGNC beds are available in the carve-out units. If a shelter with a carve-out unit has an open bed, you'll be placed there until a TGNC bed opens up. If no TGNC beds are available, ask to be added to the waitlist. The waitlist is for 30 days. If 30 days pass, tell staff to keep you on the waitlist.



Ask for a transfer

If you're assigned to a shelter that you don't feel comfortable with, ask the intake worker for a transfer. **See Transfers (pg 8).** You can ask for a transfer before you go to your shelter or once you're in a shelter. If you're asking for a transfer because of past incidents with shelter residents or staff, tell the intake worker you'd like a Safety Transfer.



Join a waitlist for an LGBTQ Shelter

If the intake worker says there are no beds available at an LGBTQ shelter, you could say you're willing to wait and ask to be added to the waitlist. You'll be placed in a shelter that matches your gender identity until a bed opens up.

Being in shelter can be an overwhelming and challenging experience.

You'll be interacting with many staff and residents, learning to navigate shelter rules, and potentially experiencing more police contact.



If you're trans and in a shelter, you have the right to:



Gender Affirming Items

You can keep any gender-affirming items you have, like binders or tucking supplies, with you.

If you use a gender-affirming prosthetic, you don't need to remove it or go through a metal detector. You have the right to speak to a social worker about it. The social worker will add a note in your file to go around the detector. This applies in all DHS shelters.

Gender Affirming Medications

You can keep oral and topical hormones. If your medication needs to be refrigerated, you should have access to a fridge.

If you inject hormones, they must be kept in an office and you should be given a private, clean, space for injection. If you need a nurse, submit a **Reasonable Accommodations request (See pg 9)** to be transferred to a shelter with nurses on staff.

Single Stall Restrooms

If the shelter doesn't have bathrooms with single-stall toilets and showers, they have to give you options, like designated time alone in the bathroom.

If staff aren't giving you these things or respecting your rights, you can file a complaint. **See Grievances (pg 10).**

TRANSFERS AND REASONABLE ACCOMMODATIONS

If you don't feel safe or comfortable in your shelter, ask staff for a transfer. You have the right to request a transfer at any time.

Can we talk?

Is something going on?

I've been having issues with the other residents here. They're not respecting me or my pronouns and I've corrected them many times. Each time I ask them to use my pronouns, they make hurtful comments. I'd like to be transferred.

I'm really sorry that's been happening. I'll fill out the **Client Demographic Change Request Form** and send it along. You should hear about your new placement soon. I can help you file a complaint too, if you'd like.

➤ If staff show any reservations about transferring you, or you haven't been transferred within two days, contact the Department of Social Services (DSS) LGBTQI Affairs Unit. See Resources (pg 10).



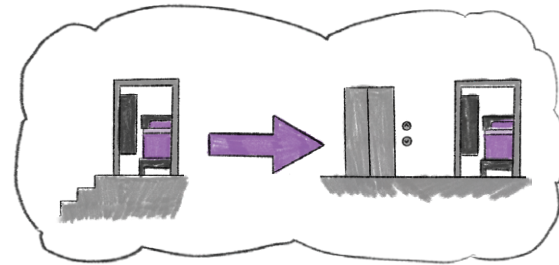
Approved Transfer Requests

You should receive 48 hours' notice before being transferred. If you don't like the new placement, you can change your mind and stay where you are. If you request another transfer, DHS may not offer a different shelter.



Denied Transfer Requests

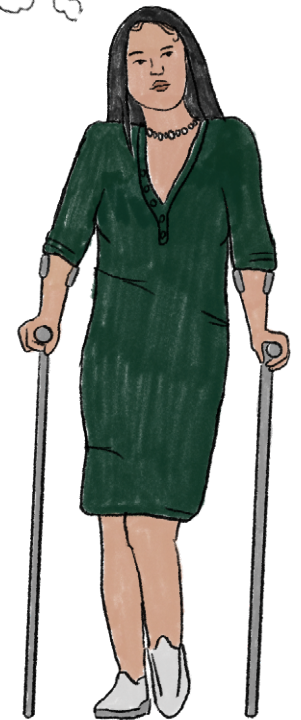
Follow up with your caseworker and Shelter Director to find out why you were denied. You can also contact the DSS LGBTQ Affairs Unit.



If you have a diagnosed physical or mental disability, you can also ask for a transfer by placing a Reasonable Accommodation (RA) request.

After the form is submitted, DHS must review your RA request and will send a determination notice with their decision. If your request is rejected, DHS must give a reason why. The determination notice will have instructions on how to appeal. You should provide new documentation if you want to appeal.

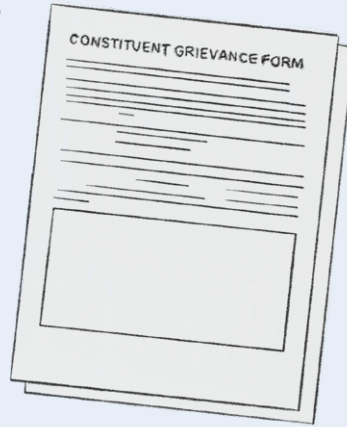
➤ Keep in mind that not all TGNC beds can meet accessibility needs, so you may have to choose between one or the other.



If shelter staff or residents aren't respecting your rights, report it.

Staff and residents cannot harass residents on the basis of sex, sexual orientation, or gender. Report harassment by filling out a Client/Constituent Grievance Form. You can get this from shelter staff, the Site Supervisor, or here:

nyc.gov/assets/dhs/downloads/pdf/DHS-38.pdf



How to Submit the Grievance Form:

1. Give it to your Case Manager and Site Supervisor

If you're complaining about shelter staff and are worried they won't file the complaint, file directly with the DHS Ombudsman's Office (see step 2).

2. If you don't hear back within seven days, reach out to the DHS Office of the Ombudsman.

You should also send copies to the DSS Office of LGBTQI Affairs. This creates an official record which has to be addressed within 48 hours. Include your contact information so they can follow up with you.

DHS Office of the Ombudsman
718-291-4141 or 800-994-2494
ombudsman@dhs.nyc.gov
109 East 16th Street, 8th Floor
New York, NY 10003

DSS Office of LGBTQI Affairs
929-221-8553
lgbtqi@dss.nyc.gov
150 Greenwich Street, 38th Floor,
New York, NY 10006

Submit complaints about Reasonable Accommodation (RA) requests here:

DSS Office of Disability Affairs
disabilityaffairs@dss.nyc.gov
718-557-1399

3. After you submit a grievance to the DHS Ombudsman or the DSS Office of Disability Affairs, also contact these organizations for extra support:

Coalition for the Homeless
129 Fulton Street
New York, NY 10038
212-776-2000

The LGBTQ Defense Project at The Bronx Defenders
360 East 161 St
Bronx, NY 10451
718-838-7878

Legal Aid Society LGBTQ+ Law and Policy Initiative
49 Thomas Street
New York, NY 10013
212-577-3300

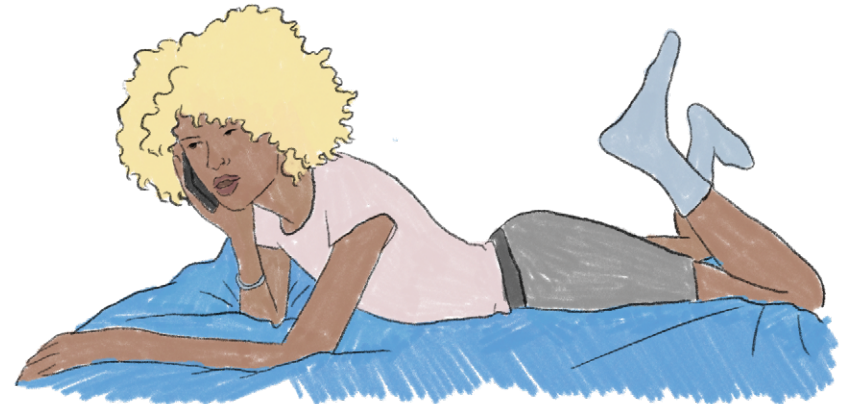
NYC Commission on Human Rights
22 Reade Street
New York, NY 10007
212-306-7450

4. If you're not getting a response from DHS or DSS, you can also reach out to these city agencies:

Mayor's Office
nyc.gov/site/ocdv/about/contact-endgbv.page

NYC Unity Project
nyc.gov/content/unityproject/pages/contact

NYC Commission on Human Rights
nyc.gov/site/cchr/about/report-discrimination.page



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*This guide is for
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legal advice. If you
need legal advice, talk
to a qualified lawyer.*

The Center for Urban Pedagogy (CUP) is a nonprofit that uses the power of art and design to increase meaningful civic engagement in partnership with marginalized communities. Through Making Policy Public, CUP partners with policy advocates and graphic designers to explain complicated policy issues, like this one.

welcometocup.org

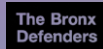
The Bronx Defenders’ LGBTQ Defense Project provides LGBTQ people with direct legal representation and social work support. Additionally, they advocate for improvements within the systems their LGBTQ clients navigate every day by effecting changes in institutional policies and practices.

bronxdefenders.org/programs/lgbtq-defense-project

Harvard Law School’s LGBTQ+ Advocacy Clinic engages in impact litigation, direct representation, and legislative and policy advocacy on behalf of the LGBTQ+ community, with a particular focus on issues affecting underrepresented groups within the LGBTQ+ umbrella.

hslslgbtq.org

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